

FILED ENTERED
LODGED RECEIVED

JUN 04 2013

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES

v.

No. 13-1303-SKG

ASHLEY ROANE

MEMORANDUM

This memorandum documents the reasons for my Order Setting Conditions of Release dated June 4, 2013. While I agree that, if proven, the allegations establish an egregious breach of public trust, the Bail Reform Act requires imposition of the least restrictive conditions or combination of conditions to reasonably assure the appearance of the person as required and the safety of any other person and the community. 18 U.S.C. § 3142(c)(1)(B). Because of the charges involving attempted narcotics trafficking and the associated use of a firearm, this is a case in which the Government enjoys the rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant in court and the community safety. 18 U.S.C. § 3142(e)(3)(A)&(B). However, I find that the presumption has been rebutted in this case by the following facts:

- (1) The strict conditions of release, including 24/7 lockdown on electronic monitoring and a responsible third-party custodian who is present in the home for the majority of the day, will ensure both the defendant's appearance in court and her compliance with release conditions. The defendant has been advised that any direct or indirect contact with the cooperating source will result in immediate detention.
- (2) The criminal activity in this case, while allegedly instigated by the defendant, involved government-supervised conduct involving a cooperating source, and there is no evidence that the defendant has ongoing ties to persons engaged in criminal activity.
- (3) The defendant no longer has access to her service firearm, her police uniform and vehicle, or the Baltimore Police computer system, which were the tools allegedly used to commit the charged offenses.
- (4) The defendant has no criminal history whatsoever, and no history of substance abuse. She therefore has no history of non-compliance with conditions of pretrial release or failures to appear in court.
- (5) Pretrial Services, following its investigation, recommended release of the defendant on less stringent conditions than those imposed by my Order.

June 4, 2013
Date

/s/
Stephanie A. Gallagher
United States Magistrate Judge